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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,072	06/28/2001	John J. Light	10559/497001/P11789	9527
20985	7590	01/29/2004	EXAMINER	
FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081			TRAN, MYLINH T	
		ART UNIT		PAPER NUMBER
		2174		5
DATE MAILED: 01/29/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/896,072

Applicant(s)

JOHN LIGHT

Examiner

Mylinh T Tran

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 June 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. | <ol style="list-style-type: none"> 4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____. 5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6)<input type="checkbox"/> Other: _____ |
|---|--|

DETAILED ACTION***Specification***

The abstract of the disclosure is objected to because

There is no "summary of the invention" of the specification. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phelan et al. [US. 6,525,745] in view of Robertson [US. 5,608,850].

As to claims 1, 11 and 21, Phelan et al. discloses selecting the object using a cursor and moving the cursor to a location (column 7, line 52 through column 8, line 28); projecting movement of the cursor from the location to an interim point on the reference plane (column 9, line 55 through column 10, line 35); projecting the interim point onto the drag plane and displaying the object on the drag plane (column 2, lines 28-68). The difference between Phelan et al. and the claim is the process of creating a reference plane and the projecting movement of the cursor from the location to an interim point on the reference plane. Robertson shows the process of creating a reference plane (column 5, line 57 through column 6, line 35); and the projecting movement of the cursor from the location to an interim point on the reference plane (column 10, line 1

through column 11, line 28). It would have been obvious to one of ordinary skill in the art, having the teachings of Phelan et al. and Robertson before them at the time the invention was made to modify the dragging and dropping object as taught by Phelan et al. to include the processing of creating a new location for this object of Robertson, with the motivation being to display the object in a better view or location as taught by Robertson.

As to claims 2, 12 and 22, Robertson also discloses projecting the interim point comprises rotating the reference plane onto the drag plane (column 13, lines 10-45).

As to claims 3, 13 and 23, Robertson shows calculating a first angle between a line of sight and the drag plane, wherein the line of site is a line from a virtual camera to the object (column 14, lines 10-60); and determining a drag angle by using a larger angle of the first angle and a predetermined minimum angle (column 14, lines 36-67).

As to claims 4, 14 and 24, Robertson also shows the reference plane is created using the drag angle (column 14, line 37 through column 15, line 50).

As to claims 5, 15 and 25, Robertson teaches drag angle is measured from the line of sight to the reference plane (column 16, line 21-65).

As to claims 6, 16 and 26, Phelan et al. also teaches wherein the predetermined minimum angle is 30 degrees (column 19, line 27 through column 20, line 23).

As to claims 7, 17 and 27, Phelan et al. demonstrates hiding the cursor from a user's view wherein the object is displayed while the cursor is hidden (column 7, lines 1-52).

As to claims 8, 18 and 28, Phelan also demonstrates deselecting the object and displaying the cursor following deselecting (column 7, line 14 through column 8, line 25).

As to claims 9, 19 and 29, Phelan et al. provides moving the cursor to the location of the object, wherein the cursor is displayed at the location of the object (column 7, line 52 through column 8, line 25).

As to claims 10, 20 and 30, Robertson also provides a virtual camera moves to keep the object in a user's view (column 2, line 30 through column 3, line 22).

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mylinh Tran

Art Unit 2174